



IAP04Rec'd PCT 19 AUG 2008

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Matthew Richard DOWNHAM, et al. Confirmation No: 4029
Appl. No. : 10/588,078
Filed : July 31, 2006
Title : CJD PRION TESTING

TC/A.U. : Unassigned
Examiner : Unassigned

Docket No.: : DOWN3001/REF
Customer No: : 23364

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated July 21, 2008, in connection with the above-identified application. The period for response to this Official Action is set to expire on August 21, 2008. This response is timely filed.

The Official Action acknowledges receipt of the response with Declaration filed September 13, 2007, but indicates that the Declaration does not comply with 37 CFR 1.497(a) for the reason that complete individual declarations were not submitted. Applicants submit herewith complete individual Declarations of each inventor as required.

It is believed that the application is now in condition for examination. Accordingly, Applicants most respectfully request that the application be forwarded to the appropriate examining group for its examination.

Respectfully submitted,
BACON & THOMAS, PLLC

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REF/cjw
Response to Notification of Defective Response.wpd
August 19, 2008



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,078	Matthew Richard Downham	DOWN3001/REF
23364 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314-1176		INTERNATIONAL APPLICATION NO. PCT/GB05/00328
Date <u>7/23/08</u> Atty <u>RCF</u>	I.A. FILING DATE 01/27/2005	
Action Due <u>Response</u>	PRIORITY DATE 01/30/2004	
Deadline <u>8/21/08</u>	CONFIRMATION NO. 4029 371 FORMALITIES LETTER	
Final Deadline <u>8/21/08</u>	Based on _____	



Date Mailed: 07/21/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/31/2006
- Copy of the International Search Report filed on 07/31/2006
- Copy of IPE Report filed on 07/31/2006
- Preliminary Amendments filed on 07/31/2006
- Biochemical Sequence Diskette filed on 09/13/2007
- Oath or Declaration filed on 09/13/2007
- Biochemical Sequence Listing filed on 09/13/2007
- Request for Immediate Examination filed on 07/31/2006
- U.S. Basic National Fees filed on 07/31/2006
- Priority Documents filed on 07/31/2006
- Specification filed on 07/31/2006
- Claims filed on 07/31/2006
- Abstracts filed on 07/31/2006
- Drawings filed on 07/31/2006
- Paper nucleotide sequence listings filed on 07/31/2006

Applicant's response filed 09/13/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/13/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The declaration consists of a single cover page and two "Page 2 of 2". It is not acceptable to combine pages of different declarations into a single declaration. See MPEP 201.03 (under Section "B. Oath or Declaration") which states, "While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity. Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration." Please submit newly executed, complete declarations.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

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